

REMARKS

Claims 1-32 are pending in the application and have been rejected. Reconsideration of the Claims is respectfully requested.

Support for the use of the terms “constant amount of” to describe the relationship of the gain (power) of the LNA and the VGA is found, among other places, on page 14, line 17 wherein the originally filed specification states “they are adjusted in a manner wherein the total amplification is kept at a constant level required for certain power level of desired channel or signal (step 524)”.

Regarding the claim objections, the requested changes have been made in addition to additional changes to clarify the invention. Regarding the reference to the term “controlcontrol”, the applicant does not find such an instance. As such, the applicant will call the Examiner to discuss further. The remaining objections are addressed in amendments.

Claims 24-26 were rejected under 35 U.S.C. 112, first paragraph as failing to comply with the enablement requirement. The essence of the rejection is that the claims contain subject matter not supported by the specification. Responsive thereto, claim 24 is amended to correct a misplaced hyphen to recite that the ratio is a ratio of signal to signal plus interference as is described within the specification. Claims 25 and 26 were rejected because they depended on claim 24.

Claims 27 and 28 were rejected because of the term “desired frequency”. The term “desired” is replaced with —expected— as suggested by the Examiner.

Claims 8, 13, 14-17 and 19-23 were rejected under 35 U.S.C. 102(e) as being anticipated by Baldwin et al. (U.S. 6560448).

The originally filed claim 8 required an automatic frequency control circuit that compensates for an ingoing communication signal frequency deviation from an expected

frequency to prevent actual signal from being filtered either by a low pass filter or a high pass filter or both. None of the cited art references teach this feature. Further, each of the independent claims 1, 8 and 19 are amended to further clarify the invention. With respect to Baldwin, Baldwin et al. teach the use of down conversion circuitry that comprises a mixer that mixes a local oscillation with an incoming signal to down convert the incoming signal from RF to a lower frequency. Baldwin et al. do not teach or suggest adjusting the LO based upon a difference in the received signal and an expected signal. While the cited materials refer to tuning the PLL 231 based upon a phase difference of low frequency signals, such operation is standard PLL operation and does not refer to adjusting the LO based upon the ingoing signal frequency. The applicant notes that Figure 2 does not show a signal path from the input to the PLL which would be required to adjust the LO based upon the ingoing communication signal. Thus, the applicant disagrees that Baldwin et al. disclose the claimed invention. As such, independent claims 8 and 19 and their dependent claims are believed to overcome the rejection under 35 U.S.C. 102(e) over Baldwin et al.

Claims 9 and 24-26 were rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin et al. in view of Shi (US 2003/0064695). The Applicant notes, as evidenced by the attached assignment documents for the present application and assignment documents for Shi (an application prepared by the same firm as the present application) that the inventions are commonly owned (the applicants were both employed by the assignee at the time of filing). As such, under 35 U.S.C. 103(c), the reference to Shi may not be used for the present rejection as the referenced statute states:

(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter

and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

As such, the Applicant believes that each ground of rejection based over Baldwin in view of Shi is overcome.

Remaining grounds of rejection are based upon Baldwin in combination with either Shi or Ichicara (US 2002/0047744). As discussed above, however, Baldwin et al. do not teach the required elements of the independent claims and specifically the frequency compensation for a detected difference between an actual frequency of the received communication signals and an expected frequency of the received communication signal. Further, as discussed above, the applicants believe that Shi cannot be properly combined with Baldwin to form a rejection. Similarly, because Baldwin fails to disclose the required elements, the applicant believes that the grounds of rejection based upon the combination of Baldwin and Ichicara are overcome.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126 (BP1985).

Respectfully submitted,

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